

Pennsylvania into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The articles were labeled in part: (Box) "* * * Gonorrhea, Gleet and all Kidney and Bladder Troubles * * * Continue taking capsules for several days to prevent relapse."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that each of the preparations consisted of capsules containing essentially salol, oleoresin of cubebs, copaiba balsam, pepsin, cottonseed oil, and plant extractives.

Misbranding of the articles was alleged in the libels for the reason that the above-quoted statements, appearing on the boxes containing said articles, regarding the curative and therapeutic effect thereof, were false and fraudulent in that the articles did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On March 30, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

9240. Adulteration and misbranding of egg noodles. U. S. * * * v. 20
Cases of Smith's Home Made Egg Noodles. Default decree of con-
demnation, forfeiture, and destruction. (F. & D. No. 3380. S. No.
1256.)

On February 2, 1912, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District aforesaid, holding a District Court, a libel for the seizure and condemnation of 20 cases of Smith's Home Made Egg Noodles, consigned by the S. R. Smith Co., Grantham and Harrisburg, Pa., remaining unsold in the original unbroken packages at Washington, D. C., alleging that the article had been transported from the State of Pennsylvania into the District of Columbia, on or about October 27, 1911, and was being offered for sale and sold at the District aforesaid, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Case) "100 Quar. Lbs. Home Made Smith's Egg Noodles Eat Smith's Empire Macaroni High Grade, * * *;" (carton) "Smith's Home Made Egg Noodles These are regular Pennsylvania Home Made Egg Noodles They are made of fresh eggs and high grade flour. They are dried and cured under a sanitary process, which makes them more wholesome and delicious in taste than any noodles can be made in the ordinary way. Will not get stale and will keep any length of time in a dry place. Manufactured only by S. R. Smith Co., Grantham and Harrisburg, Pa., U. S. Serial No. 14020. * * * Smith's Pennsylvania Home Made Egg Noodles Made of fresh eggs, flour and Spanish saffron Guaranteed under the U. S. Food and Drugs Act, June 30, 1906."

It was alleged in substance in the libel that the article was adulterated in violation of section 7 of the aforesaid act, in that it was a food in which had been mixed an artificial coloring matter or substance whereby inferiority had been concealed.

Misbranding was alleged in substance for the reason that the cases containing the product were labeled and branded as follows, "100 Quar. Lbs. Home Made Smith's Egg Noodles Eat Smith's Empire Macaroni High Grade 19642 10-31," which labels were false and misleading in that the said cases did not contain 100 quarter-pound packages, but did contain 100 packages which weighed less than one-quarter pound, and for the further reason that upon each of the packages contained in the cases appeared the words "Home Made

Noodles," used in connection with, and as a part of, a picture or design representing or purporting to represent a home kitchen, whereas, in truth and in fact, the article was not home made, but was manufactured in a factory.

On March 12, 1921, the S. R. Smith Co. having entered its appearance as claimant for the property, but having filed no answer to the libel, a decree of condemnation was entered adjudging the product to be adulterated and misbranded as charged in said libel, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

9241. Misbranding of cottonseed meal. U. S. * * * v. Union Seed & Fertilizer Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 8976. I. S. No. 19933-m.)

On November 19, 1918, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Union Seed & Fertilizer Co., a corporation, having a place of business at England, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 4, 1917, from the State of Arkansas into the State of Minnesota, of a quantity of cottonseed meal which was misbranded. The article was labeled in part, "Beauty Brand Cottonseed Meal and Cracked Screened Cake * * *"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained more crude fiber and less ammonia and protein than declared on the label.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Analysis: Ammonia 7 Per Cent, Protein 36 Per Cent * * * Crude Fibre 12 Per Cent," borne on the tags attached to the sacks containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that said article contained not less than 7 per cent of ammonia and 36 per cent of protein and not more than 12 per cent of crude fiber, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 7 per cent of ammonia and 36 per cent of protein and not more than 12 per cent of crude fiber, whereas, in truth and in fact, it contained less ammonia and protein and more crude fiber than declared, to wit, approximately 6.54 per cent of ammonia, 33.6 per cent of protein, and 16.6 per cent of crude fiber.

On March 21, 1919, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

9242. Adulteration and misbranding of glycerin. U. S. * * * v. 4 Drums of * * * Glycerin. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 9296. I. S. No. 13662-r. S. No. E-1110.)

On September 9, 1918, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information, and on November 27, 1918, an amendment thereto, against 4 drums of glycerin, consigned on or about July 15, 1918, remaining in the original unbroken packages at Lynn, Mass., alleging that the article had been shipped by H. A. Forbes & Co., New York, N. Y., and transported from the State of New York into the